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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOHN CASTORINA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

BANK OF AMERICA, N.A. and INTEGON
NATIONAL INSURANCE COMPANY,

Defendants.

Case No. 2:21-CV-02004-WBS-KJN

**STIPULATION TO EXTEND TIME FOR
DEFENDANT BANK OF AMERICA, N.A.
TO RESPOND TO COMPLAINT AND
SET BRIEFING SCHEDULE FOR
MOTION TO DISMISS**

Judge: Hon. William B. Shubb

**STIPULATION TO EXTEND TIME FOR DEFENDANT BANK OF AMERICA, N.A.
TO RESPOND TO COMPLAINT AND SET BRIEFING SCHEDULE
FOR MOTION TO DISMISS**

Plaintiff John Castorina (“Plaintiff”) and Defendant Bank of America, N.A. (“BANA”) (together, the “Parties”), through their undersigned counsel, hereby submit this Stipulation to Extend Time for Defendant Bank of America, N.A. to Respond to Complaint and Set Briefing Schedule for Motion to Dismiss as follows:

1. Plaintiff filed the Complaint in this matter on October 29, 2021.
2. Plaintiff served the Complaint on Defendant on November 3, 2021.
3. Pursuant to Rule 12(a) of the Federal Rules of Civil Procedure, BANA must answer or otherwise respond to the Complaint by November 24, 2021.
4. BANA recently engaged counsel for this matter.
5. Given the need for BANA and its counsel to investigate Plaintiff’s allegations and the upcoming holiday season, counsel for Parties conferred and agreed on the following briefing schedule, subject to the Court’s approval:
 - a. BANA’s response to Plaintiff’s Complaint will be submitted on or before January 12, 2022.
 - b. Should BANA move to dismiss the Complaint, Plaintiff’s response brief will be due on or before February 23, 2022, and BANA’s reply brief will be due on or before March 16, 2022.
6. There have been no extensions of time in this case.

Accordingly, it is hereby agreed to and stipulated by the Parties, and respectfully requested that the Court enter the proposed order that:

BANA shall answer or otherwise respond to the Complaint on or before January 12, 2022; and should BANA move to dismiss the Complaint, Plaintiff’s response brief will be due on or before February 23, 2022, and BANA’s reply brief will be due on or before March 16, 2022.


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ORDER

IT IS SO ORDERED:

BANA shall answer or otherwise respond to the Complaint on or before January 12, 2022; and should BANA move to dismiss the Complaint, Plaintiff's response brief will be due on or before February 23, 2022, and BANA's reply brief will be due on or before March 16, 2022. Hearing on said motion (if filed) shall be set for March 21, 2022 at 1:30 p.m. The Scheduling Conference is continued May 9, 2022 at 12:30 p.m. A joint status report shall be filed no later than April 25, 2022.

Dated: November 17, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

Dated: November 16, 2021

/s/ William K. Pao
William K. Pao

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*Attorneys for Defendant
Bank of America, N.A.*

Dated: November 16, 2021

/s/ Daniel J. Stewart (as authorized on 11/16/2021)
Daniel J. Stewart

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John Castorina*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed on November 16, 2021, with the Clerk of the Court using CM/ECF which caused a copy to be served on all counsel of record.

Dated: November 16, 2021

By: /s/ William K. Pao
William K. Pao